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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,792	11/29/2000	William J. Sequeira	3063/38B	3061
29858	7590	01/09/2006	EXAMINER	
BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP			SALTARELLI, DOMINIC D	
900 THIRD AVENUE			ART UNIT	
NEW YORK, NY 10022			PAPER NUMBER	

2611

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/725,792	Applicant(s) SEQUEIRA, WILLIAM J.	
	Examiner Dominic D. Saltarelli	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed October 11, 2005 have been fully considered but they are not persuasive.

First, applicant argues that Machida does not discuss a system for storing both an event identifier and an event trigger (applicant's remarks, page 6, second paragraph).

In response, the examiner maintains that the event identifier is the application ID 110 shown in fig. 7, which identifies the executing application (col. 5, lines 36-50 and col. 9, lines 46-65) and the event trigger is the EVENT attribute 250 shown in fig. 7, which identifies the action to take upon a change to the event, as this attribute 250 contains conditions field 254 (fig. 34, col. 17, lines 16-25) that defines when to execute (trigger) an identified event. Since the Machida reference specifically teaches both an event identifier (110) and an event trigger (250) are stored in a main SAI (fig. 7), the claimed limitations of storing an event identifier and an event trigger are met.

Second, applicant argues that Machida does not use an event ID to synchronize and propagate changes to a registered event (applicant's remarks, page 6, second paragraph).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant

relies (i.e., using an event ID to synchronize and propagate changes to a registered event) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Third, applicant argues that Machida does not store event identifiers and event triggers in a first table as claimed (applicant's remarks, page 6 last line through the first line of page 7), stating that Machida instead responds to trigger codes that are broadcast and invoke a corresponding action.

In response, as shown above regarding applicant's first argument, the table in which the event identifiers and event triggers are stored is illustrated in fig. 7 of Machida, and the event triggers are stored because received event trigger codes are compared to stored trigger codes to determine a match (col. 17, lines 62-66).

Fourth, applicant argues that Machida does not discuss, teach, or otherwise suggest the use of interests registered in a second table, stating that the cited METHOD attribute is an index of methods used by an application (applicant's remarks, page 7, second paragraph).

In response, the examiner maintains that a table and an index are equivalent logical constructs.

Fifth, applicant argues that the cited method index is related to an event trigger as claimed, stating that methods are directly invoked upon receipt of a user instruction, and are thus not executed based upon an event trigger (applicant's remarks, page 7, second paragraph).

In response, examiner must first note that applicant's assumption that the monitored event trigger codes are received exclusively from the broadcast station (applicant's remarks, page 6, second paragraph) is inaccurate. The monitoring for received event trigger codes done by the CPU is performed on the data stream running from the application data to the audio/visual reproduction and output portion (col. 17 line 54 – col. 18 line 8), and this would include user input to the application, such as described in col. 22, lines 50-67. Therefore, user input, which is a change to an event, is recognized by code matching in the running event, and subsequently is used to call a function using a generated event trigger as described in the previous and instant office actions regarding claims 19, 23, and 27.

Sixth, applicant argues that Machida does not disclose a system where the changing of an event generates an event trigger, stating that trigger codes are received from an external source (applicant's remarks, last line of page 7 through page 8 line 3).

In response, the examiner maintains that the event triggers generated are function calls to available methods, which are accessed by reference to the second table, the method index. As shown in col. 22, lines 50-67, a change to an event, user input, generates a Display message, which is an event trigger used to look up the DisplayInfo method.

Seventh, applicant argues that the system in Machida does not inspect a first table for an event trigger for a specified event (applicant's remarks, page 8, first paragraph).

In response, col. 17 line 54 – col. 18 line 8 of Machida specifically describes comparing values in the condition field 254 of the first table (SAI shown in fig. 7) to determine if a generated event trigger has been received and is to be acted upon, because codes received are compared to stored codes, and a match indicates a located event trigger, thus the first table is in fact inspected for event triggers.

Eighth, applicant argues that the system in Machida does not inspect a second table for a procedure to be executed upon occurrence of the event trigger event for the specified event identifier (applicant's remarks, page 8, first paragraph).

In response, in col. 19 line 50 – col. 20 line 17, Machida specifically describes how a recognized event trigger (the code matching action field 256

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causing it to execute) for a specified event identifier (the running application AID_{a-i}) identifies the method MID_m which is looked up using the method index (second table for a procedure to be executed) and the method is executed.

Lastly, applicant argues that input from a user does not cause an event trigger to be generated as claimed (applicant's remarks, page 8, first paragraph).

In response, in col. 22, lines 50-67, Machida describes how user input, such as a on screen selection, causes the Viewer application to generate an event trigger, which is then used, as described herein, to execute a procedure.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Machida et al. (6,035,304) [Machida].

Regarding claims 19, 23, and 27, Machida teaches a method, system, and computer program product for synchronizing and propagating changes to an

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event (a main service which is synchronized with additional services, wherein the main service is the event, col. 5, lines 21-35) comprising:

Assigning an event an event identifier (application ID 110 in fig. 7, col. 5, lines 36-50 and col. 9, lines 24-65);

Registering an event in a first table (fig. 7) wherein said first table stores the event identifier (110) and an event trigger (event attribute 250, col. 17, lines 16-25);

Registering interests in a second table (method index, col. 10, lines 25-26) wherein said second table stores a procedure to execute for said event trigger (method attribute 180, col. 19, lines 28-49);

Changing said event wherein said change generates an event trigger (receiving user input during execution of an event, such as user interaction with an interactive commercial, col. 22, lines 50-67);

Inspecting said first table for said event trigger for said event;

Inspecting said second table for said procedure to execute upon said event trigger event for said event identifier;

Executing said procedure (upon receiving user input for a display operation, the Display message associated with the event is used to locate the corresponding DisplayInfo method for execution, col. 22, lines 50-67, wherein the commercial, or main application, is the event, the Display message is the event trigger, and the DisplayInfo method is the procedure to execute).

Further, the registering takes place during initialization of the system, wherein the event and method tables must first be generated prior to receiving event triggers (col. 22, lines 29-37).

Regarding claims 20 and 24, Machida discloses the method and system of claims 19 and 23, wherein said inspecting of said first table uses said event identifier (an inherent feature, as the event ID is the means by which an event is identified for any initiated operation).

Regarding claims 21 and 25, Machida discloses the method and system of claims 19 and 23, wherein said inspecting of said second table uses said event identifier and said event trigger (an inherent feature, as both the event and the action taken in the event are both necessary for retrieving the proper method and applying it to the proper event).

Regarding claims 22 and 26, Machida discloses the method and system of claims 19 and 23, wherein said procedure modifies a data model (executing procedures modify the model of data used for display, as the executing procedures modify the display, col. 22 line 50 – col. 23 line 18 and figs. 58-60).

Conclusion

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4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Certificate of Mailing

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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